

U.S. Patent Application Serial No. **10/541,308**
Amendment filed August 28, 2009
Reply to OA dated May 29, 2009

REMARKS

Claims 1, 2, 5, 6, 9-11, 14, 15 and 18-27 are pending in this application, with claims 10, 11, 14, 15, 18-21 and 25-27 withdrawn from consideration. Claims 2 and 22 are canceled without prejudice or disclaimer, and claims 1, 5 and 6 are amended herein. Upon entry of this amendment, claims 1, 5, 6, 9-11, 14, 15, 18-21 and 23-27 will be pending, with claims 10, 11, 14, 15, 18-21 and 25-27 withdrawn from consideration. Entry of this amendment and reconsideration of the rejections are respectfully requested.

No new matter has been introduced by this Amendment. Support for the amendments to the claims is detailed below.

Claims 1, 2, 5, 6, 9 and 22-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over JP 06-041609 in view of Svilar et al. (US 4,731,118). (Office action paragraph no. 3)

Reconsideration of the rejection is respectfully requested in view of the amendments to the claims.

Independent claim 1 has been amended to recite that the iron-based sintered alloy member product has “0.001 to 0.7% by mass of Zn” and the Cu alloy powder raw product has “0.2 to 10% by mass of Zn.” Support for this recitation may be found in claim 2, which has been canceled without prejudice or disclaimer.

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Applicant submits that this specific numeric limitation is not disclosed or suggested in the cited references. Applicant notes that Svilar mentions zinc only as one of a number of possible elements as an “alloying constituent” of the infiltrant at column 3, line 54, and that there is no disclosure of the amount of zinc present.

Independent claim 5 has been amended to delete the recitation of Si in the Cu alloy powder, and to thereby limit the amount of Al in the Cu alloy powder to “0.01 to 2% by mass of Al,” and to limit the amount of Al in the sintered alloy member to “0.001 to 0.14%.” Since the Cu alloy powder in claim 5 is defined by a “consisting of” transitional phrase, this amendment excludes Si from the composition. Applicant submits that the cited references do not disclose or suggest this limitation on the amount of Al.

Claim 6 has similarly been amended to delete the recitation of Si in the Cu alloy powder, limiting Al in the powder to “0.01 to 2% by mass of Al” and limiting Al in the sintered alloy member to “0.001 to 0.14%.” In addition, claim 6 has been amended to delete the Mn from the composition of the Cu alloy powder composition and the sintered alloy member. Applicant submits that the cited references do not disclose or suggest these compositional limitations.

Pending claims 1, 5, 6, 9, 23 and 24 are therefore not obvious over JP 06-041609 and Svilar et al. (US 4,731,118), taken separately or in combination.

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If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,
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Enclosure: Information Disclosure Statement

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